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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/833,792	04/13/2001	Matthew Dornquist	1059-7/MBE	1929

7590 07/15/2004

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CANADA

EXAMINER

NANO, SARGON N

ART UNIT	PAPER NUMBER
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2157

DATE MAILED: 07/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/833,792	DORNQUAST ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Sargon N Nano	2157	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 13 April 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1 - 10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is responsive to application filed on April. 13, 2001. Claims 1 – 10 are pending.

#### ***Specification***

2. The abstract of the disclosure is objected to because it exceeds 150 words.  
Correction is required. See MPEP § 608.01(b).

Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

#### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the

applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1 – 10 are rejected under 35 U.S.C. 102(e) as being anticipated by Drumm et al., U.S Patent No. 6643683.

As to claim 1, Drumm teaches a method of real-time communication between a remote station and an application server over a computer network, comprising the steps of:

- a. in response to a request from the remote station, creating a persistent connection between the remote station and a web server; ( see col.2 , lines 50 –65 and fig.2).
- b. in response to a selection from the remote station, creating at least one application instance object which maintains an application state specific to a functionality of an application on the application server; ( see col.2 , lines 60 –67, col.3, lines 1 - 11 and fig.4).
- c. creating a listener to receive any event within a specified set of events; and ( see col.8 , lines 11 – 37 and fig.4).
- d. in response to the occurrence of an event within the set of events, publishing the event to each listener associated with the application, for communication to the remote station. (see col.9 , lines 31 – 44 and fig.4).

As to claim 2, Drumm teaches the method including the step of: e. notifying the remote station that the event has occurred. (see col.6, lines 6 - 26 and fig. 2 and fig.3 ).

As to claim 3, Drumm teaches the method in which the event occurs at a remote station and the step of publishing an event includes the substeps of :

- a. communicating the event from the remote station at which the event occurs to the web server; and ( see col.2, lines 66 – 67 , col.3 , lines 1 –11 and fig.4).
- b. communicating event data representing the event to the application server.  
( see col.2, lines 66 – 67 , col.3 , lines 1 –11 and fig.4).

As to claim 4, Drumm teaches a system for real-time communication between a remote station and an application server over a computer network, comprising:

a computer with a browser having a user interface, for communicating with a remote server and for creating a local listener to receive an event, ( see col.5, lines 55 – 67 , col. 6 lines 1 – 5 and fig. 1 and fig. 2 ).

an application server remote from the computer, supporting at least one application program, and ( see col.6 , lines 6 – 14 and fig. 1 and fig. 2 ).

a web server for creating

a session object which maintains a persistent connection with the computer,  
(see col.12 lines 5 – 10 ).

at least one application instance object which maintains an application state specific to a functionality of an application on the application server, ( see col.8, lines 11 – 37 and fig. 4 ). and

a remote listener for receiving an event within a specified set of events occurring in the application program; ( see col.2, lines 66 – 67 and col. 3 , lines 1-6 ).

wherein in response to the occurrence of an event within the set of events, the event is published in real-time to the local listener associated with the application in which the event occurred, and the browser is thereby provided with data to update the user interface. (see col.2, lines 66 – 67 and col. 3 , lines 1-21 ).

As to claim 5, Drumm teaches the system in which the browser accepts the data to update the user interface without refreshing the user interface (see col.9 , lines 8- 44)

As to claim 6, Drumm teaches the system of wherein the listener notifies the remote station that an event has occurred.( see col.6, lines 6 – 26 ).

As to claim 7, Drumm teaches the system in which the computer comprises software for publishing an event which occurs at the computer and communicating the event from the computer to the web server, and the web server comprises software for communicating data representing the event to the application server. (see col.6, lines 6 – 54 and fig. 4 ).

As to claim 8, Drumm teaches a computer program product for use with a computer, the computer program product comprising a computer usable medium having

computer readable program code means embodied in said medium for real-time communication between a remote station and an application server over a computer network, said computer program product having

- a. computer readable program code means for, in response to a request from a remote station, creating a persistent connection between the remote station and a web server; (see col.6, lines 27 – 42 , col. 2 lines 50 – 65 and fig. 2 ).
- b. computer readable program code means for, in response to a selection by the remote station, creating at least one application instance object which maintains an application state specific to a functionality of an application on the application Server; (see col.2 lines 66 – 67 , col. 3 lines 1 – 11 and fig. 4 ).
- c. computer readable program code means for creating a listener to receive any event within a specified set of events; and (see col. 8 lines 11 – 37 and fig. 4).
- d. computer readable program code means for, in response to the occurrence of an event within the set of events, publishing the event to each listener associated with the application, for communication to the remote station. (see col. 9 lines 31 – 44 and fig. 4).

As to claim 9, Drumm teaches the computer program product including computer readable program code means for notifying the remote station that the event has occurred. (see col.6 lines 6 – 26 and fig.2 and fig. 3 ).

As to claim 10, Drumm teaches the computer program product including computer readable program code means for communicating an event from a remote



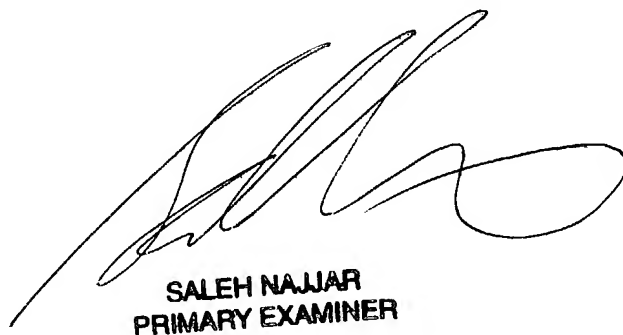
station to the web server and communicating event data representing the event to the application server (see col.2 lines 66 – 67 , col.3, lines 1 – 11 and fig.4).

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sargon N Nano whose telephone number is (703) 305-4651. The examiner can normally be reached 8;30 AM – 5:30 PM .

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on (703) 308- 7562. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sargon Nano  
Examiner / Art Unit 2157



SALEH NAJJAR  
PRIMARY EXAMINER